

TOWN OF MERRILLVILLE  
TOWN COUNCIL MEETING  
September 12, 2017

**CALL TO ORDER:** 6:30 p.m.

**INVOCATION:** President Hardaway asked for a moment of silence for those that have been devastated by Hurricane Harvey and Hurricane Irma.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** All members were present.

**PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS AND REMONSTRATIONS:**

President Hardaway made reference to a letter from Ross Township Trustee – Joe Shuddick regarding the upcoming Angel Tree program.

**CONSENT AGENDA:**

Approval of the Accounts Payable Register Voucher dated September 12, 2017. Approval of Town Council Meeting Minutes of August 22, 2017. Mr. Pettit made a motion to approve and was seconded by Mrs. Barron. There was no discussion. The motion was approved by a unanimous voice vote.

**STANDING COMMITTEES:**

**BUDGET & FINANCE:**

Mr. Pettit made reference to upcoming Ordinances which will be addressed later this meeting. Clerk Treasurer Eugene Guernsey said the 2018 Budget has been completed. Commendation was extended the Clerk Treasurer of Highland, Mr. Griffin as well as all parties involved with getting additional funds approved from the Cumulative Capital Fund.

**PUBLIC WORKS:**

Mr. Minchuk referred to Mr. Laird, Director of Planning and Building for report. Mr. Laird provided the details of the recommendation from Robinson Engineering for the Waterford East Phase 1 project. Mr. Spann made a motion to approve and was seconded by Mr. Minchuk. There was no discussion. The motion was approved by a unanimous voice vote.

**COUNCIL AFFAIRS:**

Mrs. Uzelac provided a brief update from a meeting she attended concerning Pit Bulls and/or dangerous animals. They will be reviewing the established Ordinances pertaining to this topic. President Hardaway spoke about an issue regarding people walking their dogs and neglecting to clean up after them. President Hardaway addressed how to handle this matter when presented.

**PERSONNEL POLICY & EMPLOYEE BENEFITS:**

Mrs. Barron had no report.

**PUBLIC SAFETY:**

Mrs. Uzelac thanked Bruce Spires for having several dangerous dead trees removed on Noble St. She commented that the residents appreciate it.

**PARKS & RECREATION:**

Ms. LaMarca had no report. Mrs. Barron said the tunnel has been completed. There is an area mapped out for seating in which the recycled benches will be placed as well as a memorial tree. Mrs. Barron said they are also looking into installing a charging station at that location.

**ENVIRONMENTAL AFFAIRS:**

Mrs. Barron had no report. Mr. Lake provided updates on various drainage improvement projects taking place. The Sunset Road project will be advertised on Friday, September 15<sup>th</sup> and bids will be opened at the next Stormwater Board meeting. Mr. Lake provided details for creating a South-Shore poster for Stormwater Management, he anticipates the poster to be completed December. Mr. Lake advised that the Low Impact Development seminar will be rescheduled and will provide the new date for the seminar once established.

**ELECTIONS & PUBLIC RELATIONS:**

Ms. LaMarca had no report.

**ECONOMIC DEVELOPMENT:**

Mr. Pettit had no report.

**UTILITY LIAISON:**

Mr. Spann had no report.

**ABANDONED PROPERTIES:**

President Hardaway referred to Mr. Spires for an update on bids. Mr. Spires provided the detailed information for the bids on vacant lot on 55th Ave and a property located on Broadway. Discussion followed.

President Hardaway asked Director of Code Enforcement, Vickie Bunnell to provide a brief dissertation regarding code enforcement and abandoned buildings. Mrs. Bunnell presented before and after pictures of abandoned properties that were rehabbed. The before pictures showed the uninhabitable condition the properties were in. The after pictures showed extreme improvements that were made and how they were able to salvage these properties. President Hardaway commended Mrs. Bunnell on the successful outcome. President Hardaway announced that the Rebuilding Southlake County will be Saturday, September 16<sup>th</sup> and the Town of Merrillville is the recipient this year. President Hardaway provided the number of abandoned properties for specific Wards to the affected Town Council members.

**GENERAL ORDERS:**

**FIRST READING ORDINANCES:**

**Ord. 17-14:** An Ordinance of the Town of Merrillville, Lake County, Indiana appropriating additional monies within the Wheel Tax Revenue Fund for the year 2017 not included in the current budget. Mr. Pettit made a motion to approve the ordinance and was seconded by Mrs. Barron. There was no discussion. The motion carried by a 7-0 roll call vote.

**Ord. 17-15:** An Ordinance of the Town of Merrillville, Lake County, Indiana appropriating additional monies within the LOIT 2016 Special Distribution Fund for the year 2017 not included in the current budget. Mr. Pettit made a motion to approve the ordinance and was seconded by Mrs. Uzelac. There was no discussion. The motion carried by a 7-0 roll call vote.

**Ord. 17-16:** An Ordinance of the Town of Merrillville, Lake County, Indiana appropriating additional monies within the LOIT Public Safety Fund for the year 2017 not included in the current budget. Mrs. Uzelac made a motion to approve the ordinance and was seconded by Mr. Pettit. There was no discussion. The motion carried by a 7-0 roll call vote.

**Ord. 17-17:** An Ordinance of the Town of Merrillville, Lake County, Indiana appropriating additional monies within the LOIT CREDIT Fund for the year 2017 not included in the current budget. Mrs. Barron made a motion to approve the ordinance and was seconded by Mr. Pettit. There was no discussion. The motion carried by a 7-0 roll call vote.

**Ord. 17-18:** An Ordinance of the Town of Merrillville, Lake County, Indiana appropriating additional monies within the various Stormwater Funds for the year 2017 not included in the current budget. Mrs. Uzelac made a motion to approve the ordinance and was seconded by Mr. Pettit. There was no discussion. The motion carried by a 7-0 roll call vote.

**Ord. 17-19:** An Ordinance of the Town of Merrillville, Lake County, Indiana authorizing the issuance of general obligation bonds for the purpose of providing funds to pay for certain capital projects and incidental expenses in connection therewith and on account of the issuance of the bonds, appropriating the proceeds thereof, and all matters related thereto. Mr. Pettit made a motion to approve the ordinance and was seconded by Mrs. Uzelac. There was no discussion. The motion carried by a 7-0 roll call vote.

**SECOND READING ORDINANCES:**

**Ord. 17-13:** An Ordinance of the Town of Merrillville, Lake County, Indiana appropriating additional monies within the Merrillville Fire Territory Operating Fund, of the Town of Merrillville, Lake County, Indiana for the year 2017 not included in the current budget. Mrs. Uzelac made a motion to approve the ordinance and was seconded by Mrs. Barron. There was no public comment or discussion. The motion carried by a 7-0 roll call vote.

**RESOLUTIONS:**

**Res. 17-22:** A Resolution of the Town of Merrillville, Lake County, Indiana, transferring monies of the 2017 budget within the Police Department Police Equipment fund. Mrs. Uzelac made a motion to approve the resolution and was seconded by Mr. Pettit. There was no discussion. The motion was approved by a unanimous voice vote.

**Res. 17-23:**

A Resolution making a preliminary determination to issue general obligation bonds of the Town of Merrillville, Indiana. Mrs. Barron made a motion to approve the resolution and was seconded by Mrs. Uzelac. There was no discussion. The motion was approved by a unanimous voice vote.

**BZA ACTIONS:**

**Petitioner:** Samer Haddad and Anthony Haddad  
**Owner:** Peter and Durad Konjevich  
**Request:** Special exception  
**Purpose:** Proposed used car dealership  
**Location:** 7809 Taft Street  
**Zoning:** C-2, Community Commercial  
**Case #:** Z30E14-0817  
**Conditions:** Any future paving will require Stormwater approval. 40 vehicles and all vehicles must be parked on a hard paved surface. For this petitioner only, at this location only, for this use only.

Sheila Shine provided the Staff Report for the request. Mr. Minchuk made a motion to approve and was seconded by Ms. LaMarca. Discussion followed. The motion was approved by a unanimous voice vote.

**BZA ACTIONS:**

**Petitioner:** Rodney C. Griffin, Jr.  
**Owner:** Greater Grace Church  
**Request:** Variance of use  
**Purpose:** Proposed electronic message center (sign)  
**Location:** 269 West 57th Avenue  
**Zoning:** R-2, Residential Zoning District  
**Case #:** Z32uV09-0817  
**Conditions:** The electronic message will be on from 7:00 a.m. – 11:00 p.m. For this petitioner only, at this location only, for this use only.

Sheila Shine provided the Staff Report for the request. Mrs. Barron made a motion to approve and was seconded by Mr. Spann. There was no discussion. The motion was approved by a unanimous voice vote.

**Petitioner:** Deloris Remenius  
**Owner:** Chanbo Sim DDS  
**Request:** Variance of use  
**Purpose:** Proposed electronic message center (sign)  
**Location:** 6075 Cleveland Circle  
**Zoning:** R-4, Low Density Multi-Family Residential Zoning District  
**Case #:** Z33Uv10-0817  
**Conditions:** The electronic message will be on from 6:00 a.m. – 12:00 a.m. For this petitioner only, at this location only, for this use only.

Sheila Shine provided the Staff Report for the request. Mrs. Barron made a motion to approve and was seconded by Ms. LaMarca. Discussion followed related to the condition of the display time. Mrs. Barron amended her motion to implement the display time as 6:00 a.m. – 12:00 a.m. The amended motion was seconded by Ms. LaMarca. There was no further discussion. The motion was approved by voice vote with one vote to oppose.

**OLD BUSINESS:**

Mr. Pettit addressed an ongoing matter related to Old Mill property. Mr. Pettit made a motion to authorize Mr. Spires and Town Attorney John Bushemi to negotiate a proposal to the owners of Old Mill property and make offer of \$1,000 for parcels as an effort for the Town to regain control of the property. The motion was seconded by Mr. Minchuk. Discussion followed. Mr. Pettit amended his motion and increased the offer to \$1,100. Mr. Minchuk seconded the amended motion. Comment was made that if a deal can't be reached for the property, the owner could be cited for unsafe building violations because of the facility's condition. Further discussion followed among the Town Council which is recorded on an audio file and kept on file in the Clerk-Treasurer's Office at Town Hall. The motion was approved by a unanimous voice vote.

**NEW BUSINESS:**

None

**PUBLIC COMMENT:**

All public comment is recorded on an audio file and kept on file in the Clerk-Treasurer's Office at Town Hall.

**ANNOUNCEMENTS:**

The Town of Merrillville is partnering with American Water to collect bottled water for the hurricane victims. Donation drop off collection sites are located at Stormwater Utility-7404 Broadway and Merrillville Parks & Recreation-5750 Tyler Street. Drop off hours are Monday-Friday from 8:00 a.m. to 2:30 p.m. Water will be collected until September 30th. Monetary donations can be made at the Clerk Treasurer's office. President Hardaway thanked Indiana American Water for organizing the endeavor and said the Town of Merrillville is honored to be a part of it.

Town Council workshop meeting, September 19, 2017 at 5:30 p.m.

Plan Commission meeting, September 19, 2017 at 6:30 p.m.

Environmental Resource Committee meeting, September 21, 2017 at 2:00 p.m.

Town Council meeting, September 26, 2017, at 6:30 p.m.

**ADJOURNMENT:** Mrs. Barron made a motion to adjourn and was seconded by Mr. Pettit.

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Richard Hardaway, President

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Eugene Guernsey, Clerk-Treasurer